

## **4. Subbasin Assessment – Summary of Past and Present Pollution Control Efforts**

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This section describes past and present pollution control efforts in the subbasin, including control of point sources and nonpoint sources, along with a discussion of those authorities that provide reasonable assurance that the efforts are conducted in accordance with regulatory requirements.

### **4.1 Point Sources**

The Glenns Ferry WWTP treats the wastewater from Glenns Ferry and the immediate outlying area and discharges its effluent to the Snake River. The facility is federally regulated as part of the NPDES program. As part of the discharge monitoring report portion of their NPDES permits, the WWTP is required to monitor their effluent to determine compliance with their permit effluent limits. Effluent limits are set to levels at which it has been certified that violations in the state water quality standards will not occur as a result of the effluent. If permit violations occur, the facility is required to notify EPA and DEQ to find a solution. The monthly discharge monitoring reports are sent to EPA and DEQ and are kept on file at the facility.

Confined Animal Feeding Operations (CAFOs) are also point sources within the subbasin. In 1996, EPA reissued the Idaho general NPDES permit for confined animal feeding operations. This general permit allows permitted facilities to discharge animal waste only during unusual climatic events. The permit also requires permitted facilities to land apply animal waste at agronomic rates and requires record keeping of animal waste management practices. It is believed that these provisions will reduce discharges to surface waters and ground water.

The Idaho Department of Agriculture Beef Cattle Animal Feeding Operation (AFO) Program was initiated to bring Idaho into compliance with the Beef Cattle Environmental Act in the shortest possible timeframe. The impetus of the program is to bring an estimated 1,500 Beef Cattle AFOs into compliance with the Beef Cattle Environmental Act. Additionally, the Department of Agriculture will regulate all beef cattle AFOs. In the past, only beef Confined Animal Feeding Operations were regulated.

### **4.2 Nonpoint Sources**

In Elmore and Owyhee Counties, water quality programs exist for nonpoint source pollutant reductions. Cooperators may make improvements on their own or seek cost-share funds from one of the many programs available. Most of the agricultural programs are either state or federally funded through the Idaho Soil Conservation Commission (ISCC) or the Natural Resource Conservation Service (NRCS). These programs are targeted at the agricultural community to assist with conservation practices.

For example, the Owyhee Soil Conservation District (SCD) has Water Quality Program for Agriculture (WQPA) money available to address on-the-farm pollutant reductions. Table 39 shows some of the typical component practices that may serve as standalone best management practices (BMPs) or be used in combination to address agricultural related pollutants. The appropriate component or combination of components is determined on a site-specific basis.

The Water Quality Program for Agriculture is a state of Idaho water quality program that provides cost share incentives to local operators for pollutant reductions. The Bruneau, Elmore, and Owyhee SCDs work with agricultural operators in their respective counties to provide technical assistance to implement BMPs. The agricultural community, through local conservation districts and other funding sources, has demonstrated a willingness to protect water quality throughout the basin.

**Table 39. Typical management components used to address agriculturally related pollutants, either standalone or in combination (not a complete list)**

| <b>Best Management Practice</b> | <b>Control Effectiveness</b> | <b>Installation Cost</b> | <b>Maintenance Cost</b> |
|---------------------------------|------------------------------|--------------------------|-------------------------|
| <b>Sediment</b>                 |                              |                          |                         |
| Livestock Exclusion             | High                         | Moderate                 | Low                     |
| Sediment Basins                 | High                         | Low                      | Moderate                |
| Surge Irrigation System         | High                         | High                     | Moderate                |
| Sprinkler Irrigation System     | High                         | High                     | Moderate                |
| Filter Strips                   | Moderate                     | Low                      | Low                     |
| Polyacrylamide (PAM)            | Moderate                     | Moderate                 | Moderate                |
| <b>Bacteria</b>                 |                              |                          |                         |
| Livestock Exclusion             | High                         | Moderate                 | Low                     |
| Waste Management System         | High                         | High                     | Moderate                |
| Wetland Development             | Moderate                     | High                     | Moderate                |
| Prescribed Grazing              | Moderate                     | Low                      | Low                     |
| Fencing                         | Low                          | Moderate                 | Low                     |
| <b>Nutrients</b>                |                              |                          |                         |
| Livestock Exclusion             | High                         | Moderate                 | Low                     |
| Nutrient Management             | High                         | Moderate                 | Low                     |
| Filter Strips                   | Moderate                     | Low                      | Low                     |
| Irrigation Water Management     | Moderate                     | Low                      | Low                     |
| Fencing                         | Low                          | Moderate                 | Low                     |

Other state and federal funding sources include the state §319 grant program, the Resource Conservation and Rangeland Development Program, the United States Department of Agriculture Environmental Quality Incentive Program, the Wildlife Habitat Incentives Program, and IDWR agricultural loans. Participation from local operators is voluntary. Other sources of funding include private sources, such as Ducks Unlimited, The Nature Conservancy, and colleges and universities.

### 4.3 Reasonable Assurance

The state has responsibility under Sections 401, 402, and 404 of the CWA to provide water quality certification. Under this authority, the state reviews dredge and fill, stream channel alteration, and NPDES permits to ensure that the proposed actions will meet Idaho's water quality standards.

Under Section 319 of the CWA, each state is required to develop and submit a nonpoint source management plan. Idaho's most recent nonpoint source management plan was finalized in December 1999. The plan was submitted to and approved by the EPA. Among other things, the plan identifies programs to achieve implementation of nonpoint source BMPs, includes a schedule for program milestones, outlines key agencies and agency roles, identifies available funding sources, and is certified by the state attorney general to ensure that adequate authorities exist to implement the plan.

Idaho's nonpoint source management plan describes many of the voluntary and regulatory approaches the state takes to abate nonpoint pollution sources. One of the prominent programs described in the plan is the provision for public involvement, such as the formation of Basin Advisory Groups (BAGs) and Watershed Advisory Groups (WAGs). The WAGs are to be established in high priority watersheds to assist DEQ and other state agencies in formulating specific actions needed to decrease pollutant loading from point and nonpoint sources that affect water quality limited water bodies. The King Hill-C.J. Strike Reservoir WAG was established in 2003 and is the designated advisory group for the basin.

The Idaho water quality standards refer to existing authorities to control nonpoint pollution sources in Idaho. Some of these authorities and responsible state agencies are listed in Table 40.

**Table 40. State of Idaho's regulatory authority for nonpoint pollution sources.**

| <b>Authority</b>   | <b>IDAPA Citation</b> | <b>Responsible Agency</b>                 |
|--|-----------------------|---|
| Rules Governing Solid Waste Management                             | 58.01.02.350.03(b)    | Idaho Department of Environmental Quality |
| Rules Governing Subsurface and Individual Sewage Disposal Systems  | 58.01.02.350.03(c)    | Idaho Department of Environmental Quality |
| Rules and Standards for Stream-channel Alteration                  | 58.01.02.350.03(d)    | Idaho Department of Water Resources       |
| Rules Governing Exploration and Surface Mining Operations in Idaho | 58.01.02.350.03(e)    | Idaho Department of Lands                 |
| Rules Governing Placer and Dredge Mining in Idaho                  | 58.01.02.350.03(f)    | Idaho Department of Lands                 |
| Rules Governing Dairy Waste  | 58.01.02.350.03(g)    | Idaho Department of Agriculture           |

The state of Idaho uses a voluntary approach to address agricultural nonpoint sources. However, regulatory authority can be found in the water quality standards (IDAPA 58.01.02.350.01 through 58.01.02.350.03). IDAPA 58.01.02.054.07 refers to the Idaho Agricultural Pollution Abatement Plan (Ag Plan), which provides guidance to the agricultural community and includes a list of approved BMPs (IDHW and SCC 1993). A portion of the Ag Plan outlines responsible agencies or elected groups (Soil Conservation Districts) that will take the lead if nonpoint source pollution problems need to be addressed. For agricultural activity, it assigns the local SCDs to assist the landowner/operator with developing and implementing BMPs to abate nonpoint pollution associated with the land use.

If a voluntary approach does not succeed in abating the pollutant problem, the state may seek injunctive relief for those situations that may be determined to be an imminent and substantial danger to public health or the environment (IDAPA 58.01.02.350.02(a)).

The *Idaho Water Quality Standards and Wastewater Treatment Requirements* specify that if water quality monitoring indicates that water quality standards are not being met, even with the use of BMPs or knowledgeable and reasonable practices, the state may request that the designated agency evaluate and/or modify the BMPs to protect beneficial uses (IDAPA 58.01.02.52). If necessary, the state may seek injunctive or other judicial relief against the operator of a nonpoint source activity.

The water quality standards list designated agencies responsible for reviewing and revising nonpoint source BMPs: the Soil Conservation Commission for grazing and agricultural activities, the Department of Transportation for public road construction, Idaho Department of Agriculture for aquaculture, and DEQ for all other activities (IDAPA 58.01.02.003).